

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION**

UNITED STATES OF AMERICA	:	
	:	
v.	:	
	:	No. 3:21-CR-9-CAR-CHW-1
CEDDRICK DEMON MERCERY,	:	
	:	
Defendant.	:	
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ORDER ON UNOPPOSED MOTION TO CONTINUE TRIAL

Before the Court is Defendant Ceddrick Demon Mercery's Unopposed Motion for Continuance [Doc. 59] of the pretrial hearing in this case presently scheduled for April 13, 2022, and the trial, which is set to begin on April 26, 2022, in Athens, Georgia. On February 10, 2021, the Grand Jury returned an indictment charging Defendant Ceddrick Demon Mercery with two counts of possession of a firearm by a convicted felon. On February 25, 2021, Defendant was appointed counsel, pled not guilty at his arraignment, and was detained pending trial. On July 8, 2021, the grand jury returned a superseding indictment charging Defendant with a third count of possession of a firearm by a convicted felon. On February 9, 2022, the Government obtained a second superseding indictment charging Defendant with a fourth count of possession of a firearm by a convicted felon. This case has been previously continued, and Defendant does not consent to the Government's current request.

In his motion, defense represents that on March 23, 2022, counsel for the Government represented that it may be seeking a third superseding indictment against Defendant involving new conduct unrelated to the first three indictments. On April 6, 2022, counsel for Government stated he had not yet determined whether he intended to add additional charged. On April 11, 2022, the Government electronically produced a large swath of new discovery materials and noted he had yet to produce other items he planned to produce. Thus, defense counsel states that additional time is needed to review the evidence, analyze Rule 16 and Brady materials, prepare motions to suppress any improperly obtained evidence, and effectively prepare for trial considering the volume of new discovery and potential new charges.

The Court finds it serves the ends of justice to allow the parties additional time to address these issues. The ends of justice served by granting a continuance outweigh the interests of Defendant and the public in a speedy trial. Failure to grant a continuance would deny counsel reasonable time for effective preparation and could result in a miscarriage of justice. Thus, Defendant's Unopposed Motion to Continue [Doc. 59] is **GRANTED**, and **IT IS HEREBY ORDERED** that this case be continued until June 6, 2022, the next term of Court for the Athens Division. The delay occasioned by this continuance shall be deemed excludable pursuant to the provisions of the Speedy Trial Act, 18 U.S.C. § 3161.

SO ORDERED, this 12th day of April, 2022.

S/ C. Ashley Royal

C. ASHLEY ROYAL, SENIOR JUDGE
UNITED STATES DISTRICT COURT